This overview highlights some of the budgets and bills from the 2021 legislative session. It focuses on the ones that were important to the lives of people with developmental disabilities and their families.

The 2021 session of the Maryland General Assembly ended April 12, 2021. It was very different from other years because of COVID-19. All of the public work was done virtually. People provided testimony, met with legislators, and participated in meetings by Zoom. And a lot of important work was done. Advocacy led to more funding for community services provided by the Developmental Disabilities Administration (DDA) and the Autism Waiver; changing facilities for the personal care needs of adults in public buildings; greater access for people with disabilities to vote, to receive dental care, and to move around the state; and more support for children with disabilities to continue to learn and succeed.

ANNAPOLIS 101

A bill is a change to the law. Each bill is assigned a number so it can be identified. A bill can change, create, or delete anything the government does, unless it is in the state’s constitution. One other thing to keep in mind: Federal law will always be followed first.

To become a law a bill must make its way all the way through the process in both the House and the Senate before heading to the Governor.

The General Assembly is required to pass a balanced budget and provide for a free and appropriate education. That’s it. The budget is proposed by the Governor. The legislature can only reduce funding or move it around. More money cannot be added.
## DEVELOPMENTAL DISABILITIES ADMINISTRATION BUDGET

**FISCAL YEAR 2022: JULY 1, 2021—JUNE 30, 2022**

<table>
<thead>
<tr>
<th>FUND</th>
<th>INCREASE IN FUNDING (NOTE: FIGURES ARE ROUNDED)</th>
<th>IMPACT (ESTIMATED)</th>
</tr>
</thead>
<tbody>
<tr>
<td>DDA Community Services</td>
<td>$51.2 million (General + Federal funds)</td>
<td>This will provide a 4% rate increase for DDA community services.</td>
</tr>
<tr>
<td>Transitioning Youth</td>
<td>$23 million (General + Federal funds)</td>
<td>This will provide community services and supports to about 600 eligible youth who exit high school.</td>
</tr>
<tr>
<td>Emergencies</td>
<td>$2.37 million (General + Federal funds)</td>
<td>This will provide community services and supports to about 39 people in emergency situations.</td>
</tr>
<tr>
<td>Waiting List — Crisis Resolution</td>
<td>$13.7 million (General + Federal funds)</td>
<td>This will provide community services and supports for about 296 people on the DDA waiting list with the most urgent needs.</td>
</tr>
<tr>
<td>Waiting List Equity Fund</td>
<td>$6.3 million (General + Federal funds)</td>
<td>This will provide community services and supports to about 38 people on the DDA waiting list with the oldest caregivers.</td>
</tr>
<tr>
<td>Department of Social Services Aging Out Placements</td>
<td>$4.1 million (General + Federal funds)</td>
<td>About 21 young adults aging out of DSS programs will receive DDA funded community supports.</td>
</tr>
<tr>
<td>Low-Intensity Support Services (LISS)</td>
<td>$5.5 million (General funds)</td>
<td>About 2,000 people with developmental disabilities and families will get these short-term, low-cost services and supports.</td>
</tr>
</tbody>
</table>

*Additional funds are included to continue providing services for people receiving services in FY 2021. DDA’s FY 2022 Community Services budget totals nearly $1.5 billion.*

### DDA REQUIREMENTS

The following reports must be submitted:

- Information about the use of community services and supports, how much may be spent in the future, and detail about the transition to the LTSS system.
- Information about transitioning youth who leave school and need services from the DDA.

**More requirements:**

Congress passed the American Rescue Plan Act (ARPA). It brought billions of dollars to Maryland. It also increased the federal Medicaid matching funds (FMAP) for home and community-based services by 10%. This will result in a lot of one-time only money to support people with developmental disabilities. The general assembly said the money can be used for:

- At least 75% of the money be used for a one-time rate increase to community providers;
- A rate increase for people using self-directed services;
- Grants to community providers and organizations to make sure there are more opportunities for people with developmental disabilities to be independent and live the lives they want. This can include affordable housing, more technology, and technical assistance; and
- Some administrative costs.
The FY 2022 budget includes the following funding, among other things, that will impact children with disabilities and their families:

- $2 million increase in funding for the Autism Waiver so 100 more children with autism can receive services. 1,260 children with autism receive services through the Autism Waiver right now and there are more than 6,100 children on the Autism Waiver registry waiting for services.

- $26.6 million in State funds for public prekindergarten education.

- $10.4 million for the Maryland Infants & Toddlers Program—the same funding as FY 2021.

- $7 million for the Broadening Options and Opportunities for Students Today (BOOST) Program. BOOST provides scholarships to students to attend private schools. Most private schools do not have to comply with the Individuals with Disabilities Education Act (IDEA) so even if a student with a disability enrolls, the private school does not have to provide the services and supports he or she needs.

- $141.8 million in State and Federal funds for the Child Care Scholarship Program, which funds free or reduced-priced child care for eligible families.

- $213.7 million in hold-harmless grants to ensure every county (or school system) receives more funding for education than in FY 2021 regardless of any changes in enrollment.

MSDE’s FY 2022 budget totals $7.5 billion.

BILLS

The Council’s vision is that people with and without disabilities in Maryland live, learn, work, and play together. This session, we worked with people with developmental disabilities, their families, other organizations, state agencies, and legislators on a lot of bills to bring about change.
A changing facility for the personal care of an adult now has to be installed in at least one public restroom in a public building built or renovated on or after October 1, 2022. A list of all the facilities will be on 211 Maryland’s website.

HB 90/SB 687: State and Local Housing Programs – Affirmatively Furthering Fair Housing *(passed)*
The Department of Housing and Community Development has to “affirmatively further fair housing.” This means taking actions to make sure discrimination is addressed, inclusive communities exist, and making it easier for people to find and keep housing. The Department must report to the Governor and the General Assembly about the efforts.

HB 97/SB 66: Department of Housing and Community Development - Office of Statewide Broadband – Established (Digital Connectivity Act of 2021) *(passed)*
The Office of Statewide Broadband will work to make sure every Marylander has access to high-quality, affordable broadband internet service, and has the tools needed to use the internet.

HB 1328/SB 824: Economic Development - Broadband Providers - Joint Trenching and Fee (Building Out Broadband Act of 2021) *(passed)*
Broadband internet providers will now be allowed to work together to trench. Trenching is when the provider digs underground and puts in the wires needed for the internet. This will help more people in more areas of Maryland get internet.

*Access to the internet is critical for all people, including people with developmental disabilities. With greater access, people can stay connected and engaged with family, friends, services, and supports. Since the beginning of COVID-19, the Council invested almost $375,000 to help people with developmental disabilities stay connected through technology. The Council will continue to advocate for laws and policies that help people stay connected to the community.*

HB 368/SB 100: Task Force on Oral Health in Maryland *(passed)*
The Task Force on Oral Health in Maryland will study access to dental services for everyone in Maryland, including people with disabilities.

The Council was named as a Task Force member. We will help identify barriers to dental care, and make recommendations about how to increase access to dental services.
HB 375/SB 221: Labor and Employment – Family and Medical Leave Insurance Program – Establishment
(no committee vote)
This bill would have established a Family and Medical Leave Insurance Program so people can take up to 12 weeks of paid leave from their jobs to care for new children, other family members with serious health conditions or disabilities, or themselves.

The Council worked with a coalition of stakeholders and supported this bill because odds of a worker losing income increase by 48% if the worker lives with a child with disabilities and special health care needs and by 29% if the worker is caring for an adult with disabilities or health issues. Access to paid family leave reduces the odds of losing income by 30%.

HB 716/SB 371: Special Education - Individualized Education Programs - Educational Evaluations (passed)
This expands the ways a parent can request an independent educational evaluation of a child with a disability at public expense.

HB 1166: Education - Physical Restraint and Seclusion - Reporting and Training (passed in the House, no committee vote in the Senate)
This bill would have required more data about the use of restraint and seclusion in schools. It would have also required the MSDE to develop an accountability system and make recommendations to reduce the use of restraint and seclusion; and conduct more training for teachers and other school employees. The Council worked closely with the Education Advocacy Coalition, legislators, and other stakeholders on the original version of this bill which would have prohibited seclusion unless a school has a licensed physician, clinical psychologist, or licensed clinical social worker in the building, and required MSDE to make recommendations about reducing restraint.

HB 405: Special Education – Judicial Actions – Attorney’s Fees and Related Costs (no committee vote)
This bill would have let parents recover attorney fees and expert witness costs if they win a special education due process hearing.

HB 155/SB 98: County Boards and Public and Nonpublic Prekindergarten Programs and Schools – Discrimination – Prohibition (passed in the House, no committee vote in the Senate)
This bill would have protected all students in public schools and in schools receiving public funding from discrimination based on race, color, religion, sex, age, national origin, marital status, sexual orientation, gender identity, or disability.
SB 327: Civil Actions—Financial Exploitation of Vulnerable Adults (Maryland SAFE Act) (passed)
The courts will now have an additional tool to protect people with intellectual and developmental disabilities from financial exploitation. Financial exploitation means someone misuses a person’s money or takes advantage of the person to get their money.

HB 718: State Coordinator for Autism Strategy and Advisory Stakeholder Group on Autism-Related Needs—Mandatory Appropriation (passed)
The Governor has to fund a State Coordinator for Autism Strategy in the annual budget. The State Coordinator will work in the Governor’s Office of Community Initiatives.

BY THE NUMBERS

442nd Session of the Maryland General Assembly

47 Senators
141 Delegates

972 Senate Bills
1,387 House Bills

180 Bills tracked by the Council

88 Priority Bills
92 Monitored Bills